

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN BRADLEY,

Petitioner,

v.

BRANDEN PRICE,

Respondent.

No. 2:23-cv-0527 DB P


ORDER

Petitioner, a civil detainee proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Additionally, petitioner did not submit his application on the proper form and it fails to provide information necessary for the court to evaluate his petition. (See ECF No. 1.) For example, it does not clearly state on what grounds he is challenging his confinement, whether he has exhausted his claims in state court, or contain sufficient information to determine whether venue is appropriate. The court requires all petitions for writ of habeas corpus be filed on the proper form which is provided by this court. Loc. R. 190(b).

Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee, and to resubmit his application on the proper form. Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner shall submit, within sixty days from the date of this order, an affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee.
2. The Clerk of the Court is directed to send petitioner:
  - a. A copy of the in forma pauperis form used by this district, and
  - b. This court's habeas corpus application form.
3. Petitioner's application for writ of habeas corpus is dismissed with leave to amend within sixty days from the date of this order.<sup>1</sup>
4. Any amended petition must be filed on the form employed by this court and must state all claims and prayers for relief on the form. It must bear the case number assigned to this action, and it must bear the title "Amended Petition."
5. Petitioner is warned that failure to comply with the court's directives in this order may result in a recommendation that this action be dismissed.

Dated: September 26, 2023

  
DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

DB:15

DB/DB Prisoner Inbox/Habeas/R/brad0527.101a

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<sup>1</sup> By setting this deadline the court is making no finding or representation that the petition is not subject to dismissal as untimely.